

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SYMETRA LIFE INSURANCE CO.,	§	
<i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
	§	
VS.	§	CIVIL ACTION NO. H-05-3167
	§	
RAPID SETTLEMENTS LTD.,	§	
	§	
Defendant.	§	

ORDER DENYING MOTION FOR CONTINUANCE

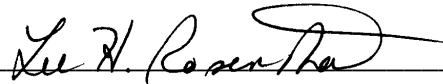
Defendant Rapid Settlements, Ltd. has moved for continuance of the hearing scheduled for August 31, 2006. The motion is based on the anticipated unavailability of a lawyer who has not previously appeared in this case either in court or on the pleadings, motions, or briefs. That lawyer states in an affidavit that due to unspecified personal health issues, he will be unable to attend the hearing.

The information provided does not support granting the continuance. The hearing was set to accommodate the schedules of the attorneys and witnesses on both sides. The lawyer who now asks for a different date was brought into this case only last week, according to the papers. Defendant has had several lawyers working on this case since it was filed, who are fully familiar with the issues. A vague and unspecific reference to “health problems” for a lawyer who is not counsel of record and is brand new to the case is an inadequate basis for a continuance. And the dates that are offered as replacements, which fit the schedule of

counsel for defendant, are not available on the court's calendar.

The motion for continuance is denied.

SIGNED on August 29, 2006, at Houston, Texas.

A handwritten signature in black ink, appearing to read "Lee H. Rosenthal", is written over a horizontal line.

Lee H. Rosenthal
United States District Judge